

PATROL GUIDE

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NOTE

*Any **Domestic Incident Report** prepared by a command other than PRECINCT OF OCCURRENCE, must be entered, reviewed and finalized by the COMMAND OF REPORT. The hard copy of the **Domestic Incident Report** will then be faxed to the precinct of occurrence. The original will be maintained in a file folder marked, "Out of Command DIRs". (This folder is not required if prepared by a PSA, and the incident occurs within the precincts that they cover).*

**DESK
OFFICER/
DOMESTIC
VIOLENCE
SUPERVISOR
(continued)**

14. Void any duplicate **Domestic Incident Reports** and those entered incorrectly or in error.

**DOMESTIC
VIOLENCE
PREVENTION
OFFICER**

15. Prepare daily a Domestic Incident Index utilizing the computer's "Domestic Violence Query-Status Report" for all the **Domestic Incident Reports** entered the previous day.
- a. Maintain a copy of the Index in the Domestic Violence office and at the desk.
16. Utilize the computer's add/view "follow-up comments function" to enter new information (e.g. results of home visits, phone contacts, additional information, etc.) related to the **Domestic Incident Report**.
17. Utilize the computer's "High Propensity Offender" function to add and remove offenders to the commands High Propensity List.

**PRECINCT
DETECTIVE
SQUAD
MEMBER**

18. Enter case closing status of any resolved domestic violence case into the Domestic Violence Database System.

**ARREST
PROCESSING
OFFICER**

19. Complete a "Global Name Check" of the offender and victim in all domestic violence arrest cases.
- a. Print out the result screen and the previously prepared **Domestic Incident Report(s)**.
20. Forward the name check results and **Domestic Incident Report(s)** with the arrest package to the District Attorney's Office.

**COMMAND
INTEGRITY
CONTROL
OFFICER**

21. Provide members of the service access to the Domestic Violence Database System utilizing the administrator options of the computer as appropriate.
22. Maintain a list of authorized users assigned to the command.
23. Print, review, and maintain on a monthly basis, a list of all voided **Domestic Incident Reports** entered into the Database.
- a. Take corrective action where appropriate.

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**ADDITIONAL
DATA**

Members of the service are reminded that the hard copy of the **DIR**, which should include a statement written in the complainant/victim's own handwriting, is the primary source for information regarding domestic incidents. The handwritten victim's statement is crucial to the District Attorney during the prosecution of a domestic violence case and can serve as the accusatory instrument, when necessary. When a domestic violence officer, precinct detective squad member, or other interested member of the service is investigating a domestic incident and the Domestic Violence Database indicates that the victim's statement is written in a language other than English, he or she should refer to the hard copy of the DIR to obtain the victim's handwritten statement. If the need for a translator arises, members of the service should comply with P.G. 212-90, "Guidelines for Interaction with Limited English Proficient (LEP) Persons".

Domestic Incident Reports that are prepared by officers assigned to commands other than precinct of occurrence (i.e. Housing Bureau personnel, etc.) who have access to the Domestic Violence Database System, will be responsible for the data entry, review and finalization of the **Domestic Incident Report**. The follow-up investigation will be the responsibility of the precinct of occurrence or housing PSA, as appropriate.

Due to the sensitive nature of the Database information, access is limited to authorized users and is controlled using CESN passwords. The command's integrity control officer provides access to the system; however, revoked passwords must be re-activated by the integrity control officer assigned to the Management Information Systems Division.

Commands will access the Domestic Violence Database System from local area network (LAN) workstations that have Internet Explorer Browser installed. Once the system issues a sequential number and the **Domestic Incident Report** is reviewed by the domestic violence officer, only a supervisor from the precinct of occurrence is permitted to make modifications. Additionally, once a desk officer/domestic violence supervisor has finalized a **Domestic Incident Report** for entry into the Domestic Violence Database System, no modifications will be allowed. (This does not include domestic violence officer notes or detective case closing).

**RELATED
PROCEDURES**

Domestic Violence Prevention Officer (P.G. 202-29)
Family Offenses/Domestic Violence (P.G. 208-36)
Family Offenses and Domestic Violence Involving Uniformed or Civilian Members Of The Service (P.G. 208-37)
Family Offense/Domestic Violence (Photographing Visible Injuries/Damaged Property) (P.G. 208-39)

**FORMS AND
REPORTS**

AIDED REPORT WORKSHEET (PD304-152b)
COMPLAINT REPORT (PD313-152)
ON LINE BOOKING SYSTEM ARREST WORKSHEET (PD244-159)
New York State Domestic Incident Report (DCJS-3221)

Exhibit # 52

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Dead Sea Scrolls case gets part of New York harassment law knocked off books as unconstitutional

Raphael Golb created phony email accounts to promote his theory about the ancient texts' origin and was convicted on 30 counts in 2010. The appeals court on Tuesday vacated his convictions of identity theft, criminal impersonation, aggravated harassment and unauthorized use of a computer.

BY SHAYNA JACOBS / NEW YORK DAILY NEWS / Wednesday, May 14, 2014, 9:35 AM

A A A

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24

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LOUIS LANZANO/ASSOCIATED PRESS

Dead Sea enthusiast Raphael Golb (seen in 2010) had his felony convictions vacated on Tuesday in New York.

The state's top court ruled in a Dead Sea Scrolls case Tuesday — and struck down a law that's often used against stalkers and domestic abusers.

A significant portion of the second-degree aggravated harassment law, relating to phone calls, emails and other kinds of communication "in a manner likely to cause annoyance or alarm," is invalid under the New York State Court of Appeals ruling that stems from a case against Dead Sea Scrolls enthusiast Raphael Golb.

The judges said they "conclude that (the law) is unconstitutional under both the state and federal Constitutions, and we vacate defendants' convictions on these counts."

They sided with a case brought by Golb's attorney, Ron Kuby, saying: "We agree with defendant that this statute is constitutionally vague and over broad."

Golb's father, Norman Golb, is one of a small number of world experts on the ancient texts. Scholars in that group disagree on the origins of the Dead Sea Scrolls.

Prosecutors argued the son assumed the identities of a handful of academics and mocked them online in a campaign that began in 2008. One target of his alleged harassment was Lawrence Schiffman, formerly of NYU.

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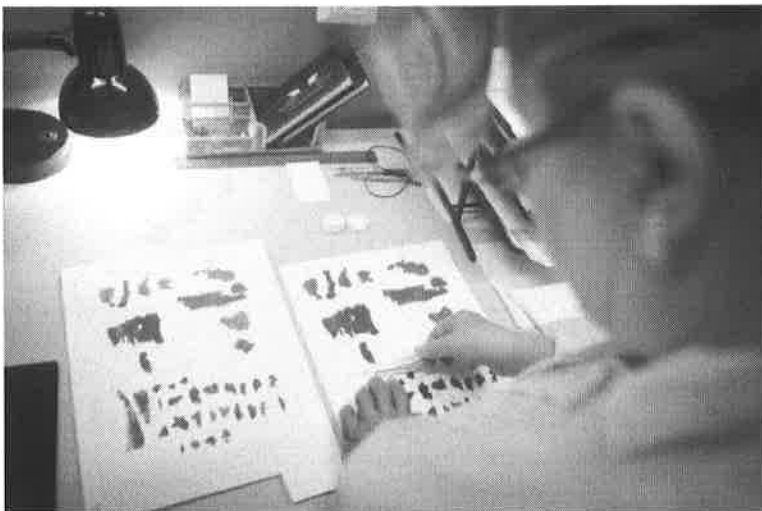
Greatest Mugshots of Gucci Mane's Life (RantHollywood)



Can You Believe These Items Are Dirtier Than Your Toilet? (ViewMixed)

Golb admitted he created email accounts Schiffman's and others' names but described the mass mailings he sent out as parody.

He was convicted on 30 counts in 2010, but the court tossed the felony charges against him.



DAN BALITY/ASSOCIATED PRESS

The origin of the Dead Sea Scrolls is a matter of scholarly debate — and apparently Raphael Golb was fanatical about protecting his father's theory.

The court vacated his conviction on identity theft, criminal impersonation, aggravated harassment and unauthorized use of a computer but upheld his guilt on criminal imprecation and forgery charges.

"I have made the world safe not just for Mr. Golb but all of the other people out there to annoy," said Kuby, a noted civil rights lawyer and colorful radio co-host, known for stirring up controversy.

"As somebody who frequently has been called annoying himself, I couldn't be prouder."

But Manhattan District Attorney Cyrus Vance Jr. said the court's decision on aggravated harassment was a blow to crime-fighters.

"The aggravated harassment statute is one of the most important tools we have to protect victims of, among other serious crimes, stalking and domestic violence," Vance said.

"Last year, there were approximately 1,000 people charged in Manhattan with this crime; many of these cases are pending. We will now work with advocates, our partners in law enforcement and state lawmakers to address the potential implications of this ruling," the D.A. added.

Golb was sentenced to six months in jail after his conviction but will be resented at a later date as a result of the ruling.



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(Square to Square Method)

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(Alarm.com)

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JOHN BAILEY

432 days ago

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Vance should certainly resign -- not because the statute criminalizing "annoying" speech was struck down, but because he had thousands of people prosecuted under it, knowing full well that it was unconstitutional. As for Golb's son, he had the courage to condemn the abusive tactics of a certain group of academics in a series of highly entertaining blogs, some of which can still be found online.

<http://web.archive.org/web/20080430220643/www.nowpublic.com/culture/did-christian-agenda-lead-biased-dead-sea-scrolls-exhibit-san-diego>

The "annoyance" he caused certainly did not deserve the persecution he endured for five years, replete with phony felony charges cooked up by Vance's assistants to try and force him to plead guilty. See the documentation of the trial and appeal at:

<http://raphaelgolbtrial.wordpress.com/>

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and see the statement of Scott Greenfield, a former prosecutor: the abusive charges were a pretext for presenting "a tidal wave of evidence" against Golb, "wreaking prejudicial havoc and deflecting attention from the real issues raised by his conduct. Throw enough dreck against a wall and something is bound to stick. Only on appeal, when the odor of the trenches is filtered through the rarified appellate air, does the tactic of smearing a defendant no longer waft unpleasantly."

<http://blog.simplejustice.us/2014/05/14/golb-decided-and-the-sockpuppet-dies/>

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JOHN BAILEY

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P.s. see also Jacob Sullum's excellent analysis:

<http://reason.com/blog/2014/05/14/new-yorks-highest-court-upholds-the-right>

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JOHN BAILEY

431 days ago

P.p.s., as a disclaimer and to avoid confusion, I would also like to add that I am not John Bailey, the author; nor am I any other publicly known John Bailey; nor do I seek to harm any John Bailey with whom any reader might be acquainted in any manner whatsoever. I am simply an ordinary person who has been carefully following this case since it was first reported on in the Daily News five years ago.

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DUCHAT

434 days ago

This is a serious embarrassment to the Manhattan DA's office to have the harassment law struck down because of his petty desire to punish a smart-ass, but bright son of a renowned scholar, who tweaked the noses of some of the City's establishment academics. I hope Vance loses his job over this one. He certainly should.

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